

## **COMMISSION MEETING MINUTES**

Indiana Fire Prevention and  
Building Safety Commission  
Government Center South  
302 West Washington Street  
Indianapolis, Indiana 46204  
Conference Room B

January 3, 2013

Pursuant to IC 22-12-2-6, the Indiana Fire Prevention and Building Safety Commission's regular monthly meeting was opened by Chairman Hannum at 9:00 a.m. on January 3, 2013.

(a) Commissioners present at the Commission meeting:

Diana M. H. Brenner  
Ron Brown  
Tom Cloud  
Kevin Goeden, representing the Commissioner, Department of Labor, arriving 12:45pm  
David Hannum, Chairman  
John Hawkins  
Patrick Richard  
Randall Snyder, representing the Commissioner, Department of Health  
Matt Mitchell

Commissioners not present at the beginning of the Commission meeting:

Michael Corey  
Ted Ogle, Vice-Chairman

(b) The following departmental and support staff were present during the meeting:

Legal and Code Services:

Mara Snyder, Director, Legal and Code Services  
Shelly Wakefield, Manager, Code Technical Development  
Cecilia Ernstes-Boxell, Code Specialist  
John Haines, Code Specialist  
Beth Sutor, Secretary

(c) James Schmidt, Deputy Attorney General, and Gary Bippus, Administrative Law Judge, were present.

## 2. Old Business.

A call by Chairman Hannum for any corrections or a motion to approve the minutes of the December 4, 2012 meeting as distributed was made. Commissioner Mitchell moved to approve the minutes as distributed, with the second by Commissioner Hawkins. It was voted upon and carried.

## 3. Plumbing Code Change Proposal

Jack Beuschel of Studor Inc., presented a request to adopt the language in the 2006 International Plumbing Code to allow the use of stack-type air admittance valves for purposes that are not permitted in the 2012 Indiana Plumbing Code. He called attention to the performance record and cost savings of the valves. Also giving testimony was Lee Culpert, a plumber, and Duane Hardy, a member of the Plumbing Code Committee, both of whom were against the proposed additional uses of the valve. Following discussion, Commissioner Brown suggested that staff be directed to work with the State Building Commissioner and make their recommendation if this is an acceptable alternative method which could be allowed on a project-by-project basis. Mara Snyder, Director, Legal and Code Services, said it would be provided for the February meeting.

## 4. Ordinances.

Bloomington Ordinance No.  
Property Maintenance Code  
Bloomington, Indiana

Mara Snyder, Director, Legal and Code Services, explained that the memo written by Shelly Wakefield, Manager, Code Technical Development, explained that this revision of the proposed ordinance still contained too many conflicts with rules of the Commission to recommend approval. Following discussion, Commissioner Hawkins moved to deny, with the second by Commissioner Mitchell. It was voted upon and carried.

## 5. Variances.

### Tabled Variances.

No proponent was available for variance 12-10-4, First Church of the Nazarene, LaPorte. The requested information had not been submitted. Following discussion, Commissioner Brenner moved to deny, with the second by Commissioner Brown. It was voted upon and carried. The proponent for variance 12-10-10(d), Lilly Building K312-314, Indianapolis, had requested the application be tabled for another 30 days. Commissioner Brown moved to table for thirty days, with the second by Commissioner Cloud. It was voted upon and carried. Variance 12-11-14, SOAR Sprinklers, South Bend, was not represented by a proponent, and no additional information had been submitted. Commissioner Brown moved to table, with the second by Commissioner Cloud. It was voted upon and carried. Mara Snyder, Director, Legal and Code Services, advised

that the proponent for variance 12-11-21, Care Animal Hospital, Muncie, had not yet submitted a letter concerning the approved installation. Commissioner Mitchell moved to table, with the second by Commissioner Cloud. It was voted upon and carried. Variance 12-11-37, Pioneer Tipton Corn Treater Expansion, Tipton, was represented by architect Michael Lewis, Shive-Hattery, Inc. The addition to the existing building had been relocated to the south side of the structure, and amended drawings had been provided for the Commission. The request was to omit sprinklers in the addition due to the chemicals used in their process, and the fear of possible soil contamination from run-off. Commissioner Brown noted that there was less water from sprinklers than from fire apparatus. The building would have a 3-hour fire barrier with protected openings, 4 means of egress, and was 30 feet from the nearest building. There was no on-site hydrant, and a well would need to be provided for any sprinkler system. Following

discussion, Commissioner Hawkins moved to approve, with the second by Commissioner Brenner. It was voted upon and carried with one nay. No proponent was present for variance 12-12-3, Endress + Hauser Automation, Greenwood. The requested information concerning the buffers had been supplied. Following discussion, Commissioner Brenner moved to approve, with the second by Commissioner Cloud. It was voted upon and carried, with one nay vote. Variance 12-12-9, New Beginnings Church Elevator, New Albany, did not have a proponent present. Following a brief discussion, Commissioner Hawkins moved to table, with the second by Commissioner Brown. It was voted upon and carried. Variance 12-12-17(b)(c)(d), Patterson Pointe PUD West, Bloomington, was represented by Ralph Gerdes, Ralph Gerdes Consultants. The proponent withdrew variances (c) and (d). Variance (b) was a request to allow the 3-story townhouse units to have a 95 foot common path of travel, exceeding the code-compliant 75 feet for R-2 occupancies. The building would be protected by a 13R sprinkler system. Following discussion, Commissioner Hawkins moved to approve, with the second by Commissioner Cloud. It was voted upon and carried.

#### Regular Variances.

Chairman Hannum asked for any abstentions or variances to be called out of the block vote. Commissioner Richard noted he would abstain from voting on variance 13-01-36, Lafayette Family YMCA, Lafayette. Commissioner Cloud then moved to approve all other variances with an "A" or "B" rating by staff, with the second by Commissioner Brenner. It was voted upon and carried.

The following variances were approved as submitted:

- (1) 13-01-1 1715 N. Lincoln Windows, Bloomington
- (2) 13-01-2 2312 Burberry Lane Windows, Bloomington
- (3) 13-01-5 Fields Apartments Windows, Bloomington
- (4) 13-01-6 Steeplechase Apartments Windows, Bloomington
- (5) 13-01-8 MacKenzie River Pizza Company, Carmel
- (6) 13-01-9 Fairbanks Men's and Women's Wing Expansion, Indianapolis
- (7) 13-01-11 Graber Concrete Lean-To Building, Indianapolis
- (8) 13-01-12 Methodist Hospital A5 North Patient Room Renovation, Indianapolis
- (9) 13-01-13 553 Graham Place Windows, Bloomington
- (10) 13-01-14 551 Graham Place Windows, Bloomington
- (11) 13-01-15 Winnelson Warehouse, Madison
- (12) 13-01-18 United Parcel Service, Indianapolis
- (13) 13-01-21 Marquette Apartments Fire Hoses, Gary
- (14) 13-01-25(c) Riverwalk – the Walker Building, Evansville
- (15) 13-01-26(a)(b) Reeves Deck Project, Carmel
- (16) 13-01-33(a) Girl Scouts Sycamore Valley Camping Unit, Lafayette
- (17) 13-01-36(a)(c) Lafayette Family YMCA, Lafayette
- (18) 13-01-37(a) 10<sup>th</sup> and Walnut Apartments, Bloomington
- (19) 13-01-39 Town of Francesville Storage Building, Francesville
- (20) 13-01-45 Northwood High School, Nappanee
- (21) 13-01-46(a)(b)(c) Ontario Acres School, LaGrange
- (22) 13-01-47(b)(c) West Waldron School, Ligonier
- (23) 13-01-49 3230 Apt. L East John Hinkle Place Windows, Bloomington

The following variances were heard separately:

- (24) 13-01-3 Quincy's Café, South Bend

Lindsay Egilmez, proprietor, spoke as proponent. The request was to not comply with the number of restrooms required by code. The building had been built in 1945 on a concrete slab, with one sewer line and one water line. To provide the

additional restrooms would have required extensive work, and was beyond their financial means at this time. The proponent stated the usual occupancy was at most 15 persons, and that the kitchen was a warming kitchen only. Following discussion, Commissioner Hawkins moved to approve, with the second by Commissioner Cloud. It was voted upon and carried with one nay vote.

(25) 13-01-4 First Choice for Women, Muncie

The application, incomplete at the time of the meeting, had been included in the block vote in error. The proponent had arrived after the block vote, and had then provided the missing information. Commissioner Mitchell moved to approve, with the second by Commissioner Cloud. It was voted upon and carried.

(26) 13-01-7 GE Gearbox Storage Building, Evansville

David Stallings, Landmark Design & Engineering, spoke as proponent. The request was to omit the emergency shower/eyewash station, service sink, and drinking fountain required by code. The building had no water and no heat, and was used to keep gearboxes out of the weather while they awaited transport. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Mitchell. It was voted upon and carried.

(27) 13-01-10(a)(b) Triple HB Venture Storage Building, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The largely unoccupied building was to store landscaping materials. The request in (a) was to omit the fire hydrant as required by code. The hydrant would require water lines, with an estimated cost of \$90,000 when completed. An automatic alarm system with heat detectors and notification devices was to be provided in the building. Randy Gulley, Wayne Township Fire Department, addressed the Commission. He stated that he had no problem with this variance. Commissioner Mitchell then moved to approve, with the second by Commissioner Cloud. It was voted upon and carried. Variance (b) was to omit the eyewash station/ emergency shower, drinking fountain, service sink, and restroom facilities in the building. Commissioner Mitchell moved to approve, with the second by Commissioner Brenner. It was voted upon and carried.

(28) 13-01-16 Plum Street Senior Patio Villas, Plymouth

James Lenczowski, J.S.L. & Associates, spoke as proponent. The request was to omit the sprinkler system. The one-story buildings would have 2 exits out of each unit, and a 1-hour fire separation would be provided between units. The proponent felt that the costs to install sprinkler systems and costs associated with tap fees, etc., would likely make the rental fees too much for seniors. Following discussion of types of sprinkler systems, Commissioner Brown moved to approve with the condition that a 13D sprinkler system be installed. Commissioner Hawkins made the second. It was voted upon and carried.

(29) 13-01-17 Seymour Place, Lawrenceburg

Paul Seymour, owner, spoke as proponent. The building, constructed in the late 1800's, had been unoccupied since the 1970's. In an effort to preserve some of the city's history, he had purchased the building, intending to have an office or retail on the ground floor, and an apartment on the second floor. The building had deteriorated to the point that the only part he could salvage was the front. The request was to be allowed to install a residential sprinkler system, 13D, on both

floors of the structure. Following discussion, Commissioner Brenner moved to approve, with the second by Commissioner Richard. It was voted upon and carried.

- (30) 13-01-19 Tin Man Brewing Office Change of Use, Evansville

The proponent had withdrawn the variance.

- (31) 13-01-20 Indiana Women's Prison Chapel Stairlift, Indianapolis

Keith Pryor, Accessible Living, spoke as proponent. The request was to allow the installation of a stairlift in two stairwells from the basement to the chapel. When in use, there would still be sufficient space on the stairwell for foot traffic, and an additional three stairwells are available for use from the space. The building was constructed in 1938 and was listed on the Historic Register. Following discussion, Commissioner Brenner moved to approve, with the second by Commissioner Hawkins. It was voted upon and carried.

**Breaking and reconvening.** Chairman Hannum recessed the Commission at 10:26 a.m. It was called back to order at 10:42a.m.

- (32) 13-01-22(a)(b) Centier Bank Wellness Center, Merrillville

Melissa Tupper, RTM Consultants, spoke as proponent. A wellness clinic was to be created within an existing office building. The owner would like to relocate a 2-hour wall to the north of the clinic, thereby adding 848 square feet and putting the over-area building into further non-compliance. Variance (a) was a request to allow the 2-hour wall to be moved. The currently unsprinklered area would be sprinklered, with fire and smoke alarm protection. To maintain the separation in its current location would require rated doors with closers running through the middle of the clinic, impeding patient flow. Variance (b) was to allow a 2-hour fire barrier to be placed to the north of the clinic in lieu of the required, structurally independent 2-hour fire wall to maintain the separation of the area. Following discussion, Commissioner Brenner moved to approve both variance (a) and (b), with the second by Commissioner Richard. It was voted upon and carried.

- (33) 13-01-23 Best Basement, Schererville

Jack Slager, Slager Homes, spoke as proponent. A bedroom was being constructed in a basement with an existing window which did not meet emergency escape and rescue requirements due to a sill height of 55 inches. The window sat on a 4 foot high poured concrete wall, with grade at approximately 6 inches below the window. To lower the window would create drainage problems, and be very costly in terms of construction. The proponent would build a permanent 24"x18" bench beneath the window to aid in the use of the window for emergency escape. Following discussion, Commissioner Cloud moved to approve with the condition that the dimensions of the bench be changed to 18 inches high and 24 inches wide. Commissioner Hawkins made the second. It was voted upon and carried.

(34) 13-01-24 The McCurdy Rehabilitation, Evansville

Ed Rensink, RTM Consultants, spoke as proponent. Also present was Adam Kunkle, co-owner of the building. The request was to reinstate the original design release for this building. The original release and extensions had expired due to a lengthy HUD and other Federal agency reviews and approvals, and, if required to re-file under the new code, the entire evaluation procedure with the Federal agencies and HUD would have to be done again due to redesign to comply with current codes. Following discussion, which included the expected start of construction date, Commissioner Cloud moved to approve for a period of 9 months from January 3, 2013 and that a copy of the agreement to assign the drawings to the new design professional be submitted with the addendum application. Commissioner Hawkins made the second. It was voted upon and carried.

(35) 13-01-25(a)(b) Riverwalk -- the Walker Building, Evansville

Ed Rensink, RTM Consultants, spoke as proponent. The request in both (a) and (b) was a repeat of approved variance 10-07-35, with the former heliport in-take area being a 7<sup>th</sup> floor. The structures associated with the heliport would be sprinkled, and wooden structures would be removed. Following discussion, Commissioner Hawkins moved to approve both (a) and (b), with the conditions that the 7<sup>th</sup> floor be sprinkled, and wooden structures on the 7<sup>th</sup> floor be removed. Commissioner Brenner made the second. It was voted upon and carried.

(36) 13-01-27(a)(b) Maple Crest Middle School Renovation, Kokomo

Ed Rensink, RTM Consultants, spoke as proponent. The renovation of the middle school was planned to be completed in five phases over a period of four years. The request was to allow the phasing-in of the sprinkler system to coincide with the completed construction phases, and allow the building to be designed and constructed as if a fully sprinklered building existed. Each phase of sprinklers was to be fully functional and tested before students occupied the phased-in area. Following discussion, Commissioner Brown moved to approve both variance (a) and (b), with the second by Commissioner Cloud. It was voted upon and carried.

(37) 13-01-28 (a)(b)(c)(d)(e)(f) J.F. Wild Building, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. An existing twelve-story office building was being converted to apartments on floors three through twelve, with floors one and two as offices and common spaces for the tenants. The request in (a) was to allow the existing stairs to not comply with the required 1/3 of the overall diagonal separation. The building was to be sprinklered, with voice-alarms and rated corridors on floors three through twelve. Following discussion, Commissioner Hawkins moved to approve, with the condition that a corridor smoke detection system be provided. Commissioner Brenner made the second. It was voted upon and carried. Variance (b) was a request to allow dead-end corridors of 30 and 34 feet, exceeding the 20 feet allowed by code. Due to the placement of the existing stairs, compliant dead-end corridors would be difficult to achieve. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Cloud. It was voted upon and carried. Variance (c) was a request to allow the rooftop deck to have a single exit for an occupant load of 59. The deck was to be surrounded by a railing system, and a parapet was to be constructed around the top of the building, though the proponent could not say how tall the parapet was to be. Following discussion, Commissioner Cloud moved to approve, with the second by Commissioner Mitchell. It was voted upon and carried. Variances (d) and (e) dealt with clear floor space in the bath and laundry areas of the Type B units. The request was to use the current A-117.1 edition. Following discussion, Commissioner Hawkins moved to approve both (d) and (e), with the second by Commissioner Brenner. It was voted upon and carried. Variance (f) was a request to allow the stair in the northeast corner of the building to discharge into the elevator lobby area. Following discussion, Commissioner Brenner moved to approve, with the second by Commissioner Brown. It was voted upon and carried.

(38) 13-01-29 Reflections at Bluestone Senior Living Phase 2, Greenfield

Ed Rensink, RTM Consultants, spoke as proponent. The request was to omit the sprinklers under the exterior porch at the front of the main building, and over patios of the Phase 2 7-plex and 8-plex patio home buildings. Porches are of 1-hour construction, patios have no overhead roof structures, and the units are protected with NFPA 13R sprinklers. Following discussion, Commissioner Brenner moved to approve, with the second by Commissioner Brown. It was voted upon and carried with one nay vote.

(39) 13-01-30 Chinese Restaurant, Bloomington

Maegen Flezic, Curran Architecture, spoke as proponent. The existing front entry stairway to the building did not meet the required 48" width, and the City of Bloomington would not allow the proponent to extend into the sidewalk area to comply with code. An accessible ramp was serving a second entrance. The request was to not comply with required egress width. Jim Gerstbauer, Monroe County Building Department, addressed the Commission, noting they had been unable to come up with any other way to change the condition, and he did not oppose the variance. Following discussion, Commissioner Hawkins moved to approve, with the second by Commissioner Brown. It was voted upon and carried.

(40) 13-01-31(a)(b) Pagoda Lower Level Renovation, Evansville

Ed Rensink, RTM Consultants, spoke as proponent. The lower level of the historic building was to have the existing office and administrative areas renovated. Variance (a) was to omit the second required remote means of egress from the space per the occupant load calculation by Plan Review. The actual occupant load was 10 persons, and the area was not open to the general public. Following discussion, Commissioner Hawkins moved to approve, with the second by Commissioner Cloud. It was voted upon and carried with one nay vote. Variance (b) was a request to omit the fire-rated egress corridor. Following discussion, Commissioner Richard moved to approve, with the second by Commissioner Cloud. It was voted upon and carried, with one nay vote.

(41) 13-01-32 Columbus Community Church Kitchen Renovation, Columbus

Ed Rensink, RTM Consultants, spoke as proponent. The church had renovated an existing area, installing a kitchen with commercial kitchen equipment, exhaust hood, duct, and rooftop fan. The request was to omit the platform and guardrail for the rooftop fan. The proponent stated the fan could be reached from the ground with a ladder, and the church wanted to omit the platform and rails. Tom Rebber, an inspector with the Columbus Fire Department, also addressed the Commission. He stated that the exhaust fan could not be easily accessed from a ladder. The proponent requested the project be tabled to allow time to research the use of a lift and the cost involved. Commissioner Mitchell moved to table, with the second by Commissioner Hawkins. It was voted upon and carried.

(42) 13-01-53 KRM Underwood Building, Kokomo

Kevin Cox, Kokomo Rescue Mission volunteer, spoke as proponent. He explained that the sprinkler system in the existing building had frozen and burst, leaving it non-functional. The boiler in the basement of the building was antiquated, and also non-functional. The building was used for storage of non-perishable food items on the first floor, and paper records on the second floor. The only heat in the building was on the first floor in the form of a suspended gas forced-air system.

Occupancy of the building was by staff when items were being sorted, etc. The request was to be allowed to no longer maintain the sprinkler system, and also leave it in place. The proponent stated they would remove the fire department connections and post signs that stated the system was not operational. As an employee of the fire department, he stated he would also enter the information into their data system to show the sprinklers as non-functional. Following discussion, Commissioner Hawkins moved to approve, with the conditions that the fire department connections be removed, signs posted that the system did not function, and the information entered into the fire department notification data system. Commissioner Cloud made the second. It was voted upon and carried.

**Breaking and reconvening.** Chairman Hannum recessed the Commission for lunch at 12:05 p.m. It was called back to order at 1:04 p.m.

(43) 13-01-33(b) Girl Scouts Sycamore Valley Camping Unit, Lafayette

Ed Rensink, RTM Consultants, spoke as proponent. The request was to allow the installation of residential ranges and residential exhaust hood in lieu of a Type I hood in the bunkhouse. It, however, also housed administrative offices and the camp store. A similar variance had been granted for the camp last year, but without the offices and store. Following discussion, Commissioner Mitchell moved to approve, with the condition that stovetop canister suppression units be installed over each range. Commissioner Cloud made the second. It was voted upon and carried.

(44) 13-01-34 Heritage K-12 School, Monroeville

Dennis Bradshaw, FP&C Consultants, spoke as proponent. During construction, an exit was to be blocked off. The request was to allow the egress path to temporarily be routed through a cafeteria space to another exit. A construction barrier wall was to be erected, with a lockable door, to restrict access to the construction site. New directional exit signs would be posted for the amended path, and the area in front of the stage would be kept clear as an egress path. Mark Reynolds, Fire and Building Code Enforcement, asked that the evacuation plan be edited to reflect the variance. Following discussion, Commissioner Brenner moved to approve, with the condition that the fire safety evacuation plan be amended to show the revised exiting. Commissioner Mitchell made the second. It was voted upon and carried.

(45) 13-01-35 Westminster Apartments, Greenwood

Ed Rensink, RTM Consultants, spoke as proponent. Also present was Russ Syler, owner. The apartment complex, constructed in 1967-1969, was undergoing a "replace and repair" renovation with no change to the floor plans. This project included removing the bathtubs, installing green board and insulation behind them, and retiling, thus improving the separation between units. The local fire department wanted them to use mineral wool in the bathtub area, as well as several other items listed as their conditions to the variance. Mara Snyder, Director, Legal and Code Services, advised the Commission that she saw no requirement for a variance, in this instance, since they were making no changes which would require compliance with current code. They also could not be compelled to construct elements required under the pre-1986 code of record because that code can no longer be enforced to require that construction. Lowell Webber, Greenwood Building Commissioner, also addressed the Commission. He stated that he and the Greenwood Fire Marshal disagreed on this particular project, noting that he agreed with Mara that no variance was required. Following further discussion, Commissioner Brenner moved that no variance was required, with the second by Commissioner Hawkins. It was voted upon and carried with one nay vote.



- (46) 13-01-36(b) Lafayette Family YMCA, Lafayette

Ed Rensink, RTM Consultants, spoke as proponent. He requested the variance be tabled. Commissioner Mitchell moved to table, with the second by Commissioner Brenner. It was voted upon and carried. Commissioner Richard abstained.

- (47) 13-01-37(b) 10<sup>th</sup> and Walnut Apartments, Bloomington

Ed Rensink, RTM Consultants, spoke as proponent. The request was to allow the dryer exhaust ducts to exceed the length allowed by code. A spec sheet for the dryer was distributed to the Commissioners, and the proponent stated they would install the ducts according to the manufacturer's specifications. Following discussion, Commissioner Richard moved to approve, with the second by Commissioner Brenner. It was voted upon and carried.

- (48) 13-01-38 Quail Chase Sunroom, Indianapolis

Alexander Sulanke, A-1 Expeditors, spoke as proponent. The request was to allow the construction of a sunroom addition to an existing, four-unit condominium, omitting the code-required sprinkler system. The condominiums are not sprinklered, and the cost to run the pressurized lines to the sunroom and the cost of the sprinkler system was considerable. Following discussion, Commissioner Hawkins moved to approve, with the second by Commissioner Brenner. It was voted upon and carried.

- (49) 13-01-40 University Christian Church Additions and Alterations, Muncie

Tim Callas, J & T Consulting, spoke as proponent. The existing multi-purpose space and the fellowship commons were to have additions, and a canopy over the main entrance was to be added. The request was to omit sprinklers, and to omit the 2-hour separation wall required between the existing and additions to the multi-use areas. The proponent noted that the existing fire alarm system would be carried into the additions. Four exits directly to the exterior were to be provided, as well as fire department access doors, as required. The addition and the existing building were both Type VA construction. Following discussion, Commissioner Hawkins moved to approve, with the condition that the openings in the kitchen walls be protected for VA construction. Commissioner Brenner made the second. It was voted upon and carried with three nay votes.

- (50) 13-01-41 Oakwood Health Campus Villas, Tell City

Jon Schnarr, Universal Design Associates, spoke as proponent. The request was to omit the sprinklers in the quad-plex units. The proponent stated they would provide a 4-hour fire wall to separate the building into two duplex units, and install a fire and smoke alarm system in each apartment. Each unit was to be separated by a 1-hour fire barrier as well. All water lines had been installed, and new sprinkler mains would have to be installed in an added riser room on the back side of each building. A discussion was held on the comparison of costs of providing a 4-hour wall and the installation of a 13D sprinkler system. Commissioner Brenner moved to table to allow the proponent time to research the of the 4-hour wall vs. the installation of a 13D system. Commissioner Hawkins made the second. It was voted upon and carried.

- (51) 13-01-42 Holy Life Baptist Church Annex Fire Reconstruction, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The existing annex had been reconstructed following a fire, and had been cited for not providing an elevator. The proponent felt the second floor was exempt from elevator access requirement since there are fewer than four dwelling units, and no need to provide Type B units. The Fair Housing Act would also not be violated since adaptable units aren't required for building with fewer than four units. The lack of an elevator to the basement was not an issue since the building was a religious facility, and therefore exempt from the ADA. The main fellowship space and day care classrooms were on the accessible first floor. Following discussion, Commissioner Hawkins moved that no variance was required, with the second by Commissioner Brenner. It was voted upon and carried.

- (52) 13-01-43 Winona Trail Bike and Pedestrian Underpass at Goshen College, Goshen

Ed Rensink, RTM Consultants, spoke as proponent. An underpass had been constructed beneath the Norfolk Southern rail line, which bisected Goshen College campus, to allow unimpeded bike and pedestrian travel. The local building official had verbally cited the handrail supporting the incline wheelchair lift for noncompliance with height and termination requirements. Two other compliant handrails are provided on each stair, including a center handrail. It is not practical for the handrail supporting the incline lift to comply. Following discussion, Commissioner Brenner moved that no variance was required. Commissioner Hawkins made the second. It was voted upon and carried.

- (53) 13-01-44 Mann Village Rebuild, Indianapolis

Mara Snyder, Director, Legal and Code Services, advised the Commission that the fire department had requested the variance be tabled for 30 days. Commissioner Brenner moved to table, with the second by Commissioner Richard. It was voted upon and carried.

- (54) 13-01-47(a) West Waldron School, Ligonier

Earl Simon, board member, spoke as proponent. The request was to omit the code-required sprinklers. The facility was a one-room Amish school with a studio apartment, separated by a fire barrier with protected openings, for the teacher to use during the school week. A battery-powered smoke and heat detector system with interconnected alarms would be provided, as well as reflective exit signs and a second exit door from the classroom area. Following discussion, Commissioner Brenner moved to approve with the condition that the sleeping quarters have a 1-hour separation. Commissioner Hawkins made the second. It was voted upon and carried with one nay vote.

- (55) 13-01-48 Morning Side of College Park Memory Care Wing, Indianapolis

Christina Colleter, RTM Consultants, spoke as proponent. The request was to allow the use of locking devices for this wing of the facility which was being converted to a Memory Unit. It was stated that the residents needed the impeded egress for their safety. The facility, which complies with NFPA 101, was not required to be licensed since they are private pay. Following discussion, Commissioner Brenner moved to approve, with the second by Commissioner Hawkins. It was voted upon and carried.

(56) 13-01-50 The Awakening Church, Huntington

David Ringer, Indiana Sprinkler, spoke as proponent. He stated that a NFPA 13 system had been installed in the facility. The church provided the used tank and heater, though neither of the units were listed for use as a part of a sprinkler system. The tank, originally manufactured for agricultural use, had been flushed, repainted, and set on a compacted clay pad. The heater would maintain a 42° water temperature. Leon Hurlburt, the Huntington Fire Marshal, advised the Commission he was not opposed to the variance, and that they would not find a better-protected church with a tank system than this church. He also noted that as a career department, his response time was 3 minutes. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Cloud. It was voted upon and carried.

(57) 13-01-51 Tony Sacco's, Granger

Christina Colleser, RTM Consultants, spoke as proponent. The restaurant was being constructed in the end unit of an existing strip mall. The building was not sprinklered when originally built, and the request was to omit sprinklers in the restaurant. The facility had four exits for the areas used for seating and kitchen work, the calculated occupant load at 96, with an additional exit off the kitchen. Adding the circulation area increased the occupant load to slightly over 100. The request was to omit the sprinklers. Following a lengthy discussion, Commissioner Brenner moved to table. Commissioner Hawkins made the second. It was voted upon and carried.

(58) 13-01-52(a)(b) Dow AgroSciences Greenhouses, Indianapolis

Christina Colleser, RTM Consultants, spoke as proponent. Variance (a) was a request to allow the sprinklers, Ordinary Hazard, Group 2 design, to remain above the solar shields. The solar shields were manufactured with a fire break on each edge to help prevent the spread of fire from one panel to another. To comply would require a second layer of sprinkler heads and piping, which would change the weight on supports. Sam Bruner, Pike Twp. Fire Department, advised the Commission that he had no problem with the variance. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Mitchell. It was voted upon and carried. Variance (b) was to allow sterile gowns, masks and gloves needed for use in the greenhouse processes, to be stored in the pedestrian walkway between greenhouses and the main building. The walkway is sprinklered. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Mitchell. It was voted upon and carried.

(59) 13-01-54 The Warehouse by the Family Center, Bloomington

Ed Rensink, RTM Consultants, spoke as proponent. The request was to extend the approved variance 11-12-40, with the same conditions, for a period of three months to allow occasional assembly functions in the warehouse portion of the building. Dean Illingworth, State Building Commissioner, advised the Commission that the owner was to provide a final master plan by next month, and did not object to the variance. Following discussion, Commissioner Hawkins moved to approve, with the second by Commissioner Brown. It was voted upon and carried.

(60) 13-01-55 Stayer Center for Executive Education, Notre Dame

The late-addition request, which would have been in a "B" category, was to allow the use of non-compliant steel wire ropes in the Eco-Space elevator. This new technology, not recognized in the current Elevator Code, had been allowed many times in the past. Following a brief discussion, Commissioner Mitchell moved to approve, with the second by Commissioner Cloud. It was voted upon and carried.

6. Memo concerning Section 3410.6.11 of the 2008 Building Code

Mara Snyder, Director, Legal and Code Services, had brought an issue to the Commission for discussion as described in her memo. The question was "How do you deal with any additional exiting requirements?". Following a lengthy discussion, it was agreed by those Commissioners present that if they don't comply with 1005.1, they would need to get a variance.

7. New Business – General

Discussion and possible Commission action

Wesleyan Heritage Academy  
Administrative Cause No. 12-31  
Order – Fire and Building Code Enforcement  
Nonfinal Order of Dismissal

Commissioner Mitchell moved to approve the Nonfinal Order of Dismissal, with the second by Commissioner Brenner. It was voted upon and carried.

8. Discussion and Possible Commission action on petitions for review (Timely filed unless otherwise noted.)

Udder Angels Childcare  
Order – Fire and Building Code Enforcement

North Park Nursing Center  
Order – Fire and Building Code Enforcement

Fat Boy's Tavern  
Order – Fire and Building Code Enforcement

Brentwood Nursing & Rehabilitation  
Order – Fire and Building Code Enforcement

TMF Center Inc. Warehouse Addition  
Denial of Application for Construction Design Release

Calvary Community Fellowship Church  
Conditions of CDR #361595

HUMmingbird Childcare  
Order – Fire and Building Code Enforcement

Commissioner Mitchell moved to grant the timely petitions for review. Commissioner Cloud made the second. It was voted upon and carried.

9. Additional information and action on variance 13-01-51, Tony Sacco's , Granger

Christina Colleston, RTM Consultants, returned to the Commission, explaining that she had been able to confirm that the 2-hour separation wall between the restaurant and the neighboring unit had already been installed by the architect during the renovation. Commissioner Hawkins then moved to approve, with the condition that the occupancy could not exceed 109 persons. Commissioner Cloud made the second. It was voted upon and carried.

10. Comments

Mara Snyder, Director, Legal and Code Services, noted that the Plumbing Code had become effective Christmas Eve. She also noted that she would be working on chase amendments to the Plumbing Code and the Swimming Pool Code to clean up a couple of small items, but that she would be waiting until after next month. A notice of recall for NFPA 25 had been done when some required information had been filed seven days too late. A new public hearing was to be scheduled, and the proposed adoption re-submitted to the Fire Prevention and Building Commission for their approval at the February meeting. Legal and Code Services had been unable to find the fiscal information, required by the Office of Budget Management for rules adoption, to move forward with the adoption of the 2012 edition of NFPA 72. She would, therefore, be writing an amendment to the current NFPA 72, with permission by NFPA to use their code language, to allow use of the wireless component systems.

11. Adjournment

Chairman Hannum called for further business, and upon hearing none, adjourned the meeting at 2:55 p.m.

APPROVED

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David Hannum, Chairman

